

The Honorable Judge John C. Coughenour

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

STATE OF WASHINGTON, *et al.*,

Plaintiffs,

v.

DONALD TRUMP, in his official capacity
as President of the United States, *et al.*,

Defendants.

NO.: 2:25-CV-00127-JCC

**CONSENT MOTION OF AMERICA'S
FUTURE, GUN OWNERS OF AMERICA,
INC., GUN OWNERS FOUNDATION,
CITIZENS UNITED, U.S.
CONSTITUTIONAL RIGHTS LEGAL
DEFENSE FUND, LEADERSHIP
INSTITUTE, AND CONSERVATIVE LEGAL
DEFENSE AND EDUCATION FUND FOR
LEAVE TO FILE BRIEF *AMICUS CURIAE*
IN OPPOSITION TO PLAINTIFFS' MOTION
FOR PRELIMINARY INJUNCTION**

**NOTE ON MOTION CALENDAR:
January 31, 2025**

On the grounds and for the reasons set forth below, movants, through undersigned counsel, pursuant to F.R.Civ.P. 7, move this Court for leave to file a brief *amicus curiae* in opposition to Plaintiffs' motion for preliminary injunction.

Counsel for Plaintiffs and Defendants have consented to this Motion and to the filing of the attached brief *amicus curiae*. This brief is timely as it is being filed by the deadline allowed for Defendants' brief in opposition to the motion for preliminary injunction and within the appropriate page limits.

Movants America's Future, Gun Owners Foundation, U.S. Constitutional Rights Legal Defense Fund, Leadership Institute, and Conservative Legal Defense and Education Fund are exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code ("IRC"). Movants Gun Owners of America, Inc. and Citizens United are exempt from federal income taxation under IRC Section 501(c)(4). Each organization participates actively in the public policy process, and has filed numerous *amicus curiae* briefs in federal and state courts, defending a proper interpretation of the U.S. Constitution.

I. THIS CASE PRESENTS A CONSTITUTIONAL MATTER AND STATUTORY ISSUE OF GREAT IMPORTANCE.

This case raises significant questions of constitutional and statutory interpretation with respect to whether President Trump's Executive Order at issue is lawful. The Executive Order invalidates birthright citizenship, which is a concept that Plaintiffs claim to be rooted in the Fourteenth Amendment.

II. THE *AMICUS CURIAE* BRIEF ADDRESSES ARGUMENTS RAISED BY PLAINTIFFS AND SUPPLEMENTS ARGUMENTS RAISED BY DEFENDANTS.

Movants' proposed *amicus curiae* brief submitted with this Motion supports the position of Defendants, but supplements the arguments and authorities that it anticipates the Defendants will provide in their opposition to the Motion for Preliminary Injunction. The *amicus brief* provides relevant history of the Fourteenth Amendment and the Immigration and Nationality Act, as well as historical explanation of the error in Plaintiff's reading of *Yong Kim*

1 Ark and other Supreme Court decisions.

2 **III. THE ACCEPTANCE OF BRIEFS *AMICUS CURIAE* HAS BEEN FOUND USEFUL IN**
 3 **CASES SUCH AS THIS.**

4 District courts have inherent power to grant leave to file briefs *amicus curiae*, as they
 5 often “provide helpful analysis of the law[,] they have a special interest in the subject matter of
 6 the suit[,] or existing counsel is in need of assistance.” *Bryant v. Better Business Bureau of*
 7 *Greater Maryland, Inc.*, 923 F.Supp. 720, 728 (D. Md. 1996). Furthermore, this Court has
 8 already granted leave of other *amici* to file an *amicus* brief in support of Plaintiffs’ Motion for
 9 Preliminary Injunction. See Doc. No. 70, Order Granting Unopposed Motion of *Amici* Local
 10 Officials (Jan. 29, 2025). For the reasons stated above, it is believed that this *amicus* brief will
 11 inform the Court’s effort to resolve the question before it.

12 Given the nationwide significance of this case, and its profound implications for all
 13 Americans, movants respectfully request leave to file the accompanying brief *amicus curiae* in
 14 opposition to Plaintiffs’ Motion for Preliminary Injunction.

15 DATED this 31st day of January, 2025.

16
17 Respectfully submitted,

18 /s/ Richard B. Sanders
 19 RICHARD B. SANDERS, WSBA #2813
 20 LAND USE AND PROPERTY LAW, PLLC
 21 6659 Kimball Dr., Ste. B-201
 22 Gig Harbor, WA 98335
 23 (253) 853-1806
 24 richard@landuselawwa.com
 25 *Counsel for Movants*
America’s Future, et al.

Certificate of Service

I hereby certify that I served the foregoing Consent Motion for Leave to File Brief *Amicus Curiae* in Opposition to Plaintiffs' Motion for Preliminary Injunction on counsel for the parties using the Court's Electronic Case Filing system.

January 31, 2025

/s/ Richard B. Sanders

Richard B. Sanders